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May 14, 2019

United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Attn.: Judge William F. Kuntz, II

Re: Todd C. Bank v. Evan Sirlin
Case No. 1:18-cv-04536-WFK-JO

Dear Judge Kuntz:

On August 10, 2018, I commenced the above-referenced action by filing a Complaint (Dkt. No. 1).

On August 24, 2018, I filed an Amended Complaint (Dkt. No. 8).

On August 27, 2018, I filed proof of service (Dkt. No. 10).

On September 20, 2018, I filed a Request for Certificate of Default (Dkt. No. 11).

On September 28, 2018, the Clerk issued a Certificate of Default (Dkt. No. 12).

On October 4, 2018, I filed a motion for a Default Judgment (Dkt. No. 13) and a memorandum of law in support thereof (Dkt. No. 14).

On December 12, 2018, the Court issued a text order stating, in full: "ORDER denying [13] Motion for Default Judgment. So Ordered by Judge William F. Kuntz, II on 12/12/2018."

On December 12, 2018, I filed a renewed notice of motion for the Default Judgment (Dkt. No. 16) and a declaration with exhibits that I had inadvertently not included in my original motion.

On May 13, 2019, the Court issued a text order stating, in full: "ORDER denying [16] Motion for Default Judgment. So Ordered by Judge William F. Kuntz, II on 5/13/2019."

As the text order of May 13, 2019, does not provide an explanation for the denial of the motion, I am aware of no option other than to file a petition for a writ of mandamus in the Court of Appeals, which, barring such explanation by May 17, I intend to do.

Sincerely,

s/ Todd C. Bank

Todd C. Bank